



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION I

J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203-2211

May 22, 1990

Ms. Beverly Migliore
State of Rhode Island and Providence Plantations
Department of Environmental Management
Division of Air and Hazardous Materials
291 Promenade Street
Providence, RI 02908-5000

Dear Ms. Migliore:

This letter is in regard to the permanent closure of tanks 53 and 56 at the Naval Education and Training Center (NETC) in Newport, Rhode Island. It is EPA's understanding that NETC was issued a Rhode Island Department of Environmental Management (RIDEM) Hazardous Waste Facility Permit on September 10, 1986. The interim status permit stipulated that these tanks, located at Tank Farm #5, "be closed in accordance with RCRA TSD regulations as well as those promulgated by the RIDEM for underground storage tanks for oil and hazardous substances." The Navy and RIDEM acknowledged at the time of permit issuance that because these tanks were no longer being used for waste oil storage, permanent closure plans would be prepared and implemented by 1988. The Navy submitted a draft tank closure plan for tanks 53 and 56 on April 15, 1988. On November 10, 1988, RIDEM responded with comments and recommendations on the proposed closure activities.

In July of 1989 NETC was proposed for inclusion on EPA's National Priorities List (NPL) and was final listed on November 15, 1989. In anticipation of its NPL status, the Navy requested that the closure of these two tanks be delayed and incorporated into the remedial investigation/feasibility study (RI/FS) to be conducted pursuant to CERCLA. RIDEM responded unfavorably, stating that this was not a viable alternative due to the fact that closure was a required element of the RCRA permit issued prior to the CERCLA listing.

Although EPA's position is to make every possible effort to integrate RCRA activities with those being conducted pursuant to CERCLA, EPA believes that closure of these two tanks should proceed as stipulated in NETC's RCRA permit but that any groundwater remediation be delayed until CERCLA Phase I investigatory activities have been completed and assessed. As discussed during our telephone conversation last week, due to the close proximity of other tanks included in the CERCLA remedial investigation (RI), EPA feels that remediation of groundwater at

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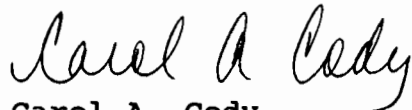


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tanks 53 and 56 may potentially impede the complete assessment of contamination at Tank Farm #5. According to the RI/FS Project Schedule developed for NETC, the Navy anticipates Phase I of investigatory activities to be completed by the end of the summer. Although preliminary data will be made available to NETC's Technical Review Committee throughout field sampling operations, the complete data validation process could proceed well into the latter part of the year. It is requested, therefore, that groundwater remediation around tanks 53 and 56 be delayed until more data becomes available so as to more accurately assess the nature and extent of contamination at Tank Farm #5. In the event that Phase I sampling data fail to evince the presence of contamination at other areas at Tank Farm #5, RIDEM may initiate immediate enforcement actions pursuant to RCRA to ensure that groundwater remediation be employed as stipulated in NETC's Hazardous Waste Facility Permit.

Should you have any questions or concerns in regard to the above, please do not hesitate to call. Thank you in advance for your much appreciated cooperation and assistance in this matter.

Sincerely,



Carol A. Cody
Remedial Project Manager

cc: Captain W.F. Burke, NETC, Dept. of Public Works
Mr. Robert Moore, NETC, Dept. of Public Works
Ms. Rachael Marino, NETC, Dept. of Public Works
Mr. Russell Fish, U.S. Dept. of the Navy, NORTHDIV
Mr. Thomas D. Getz, Chief, State of Rhode Island, DEM
Division of Air and Hazardous Materials
Mr. Warren Angell, State of Rhode Island, DEM
Mr. Douglas Luckerman, Attorney, U.S. EPA - Region 1
Ms. Anne Fenn, Federal Facilities Coordinator,
U.S. EPA - Region 1